IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5049 OF 2005

Aspi E. Tata & Others ..Petitioner.

Versus

City Union Bank Ltd., & Another ..Respondents.

Mr.Mangesh Patel i/by Jyoti Mistry for the Petitioner.

Mr. Ramnath Shekhar for Respondent No.1.

Mr. I.P. Tripathi for Respondent No.2.

CORAM : S. A. BOBDE, J.

DATED : 04TH AUGUST, 2005.

P.C.:

1. Rule, returnable forthwith.

2. Mr. Shekhar waives service of rule for the Respondent No.1 and Mr. Tripathi for Respondent No.2.

3. Heard. By consent following order is passed.

ORDER

i. The impugned order dated 21.06.2005 is hereby set aside.

ii. The petitioners shall be allowed to examine the two proposed witnesses.

iii. Debts Recovery Appellate Tribunal shall issue summons for examination of the two proposed witnesses.

iv. Petition is disposed of in the above terms.

Dt. 04.08.2005 (S.A. BOBDE,J.)

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